

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire,
KML LAW GROUP, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
US Bank Trust National Association, Not In Its
Individual Capacity But Solely As Owner Trustee For
VRMTG Asset Trust

In Re:

Scott E Depka
DEBTOR

Kerry L. Depka
CO-DEBTOR



Order Filed on July 2, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 23-10009 JNP

Hearing Date: July 2, 2024

Judge: Jerrold N. Poslusny Jr.

Chapter: 13

Recommend Local Form

☐ Followed

☐ Modified

ORDER VACATING STAY AND CO-DEBTOR STAY

The Relief set forth following page is hereby ordered **ORDERED**.

DATED: JULY 2, 2024

A handwritten signature in black ink, appearing to be "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Upon the motion of US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust, under Bankruptcy Code section 362(d) and 1301 (c) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the motion is granted and the stay is terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

Land and premises commonly known as 217 Chestnut St, Turnersville NJ 08012

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further ORDERED that the Co-Debtor is vacated.

It is further ORDERED that the Trustee is directed to cease in making any further distributions to the Creditor.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 11/14/2023

In re:
Scott E Depka
Debtor

Case No. 23-10009-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Jul 02, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 04, 2024:

Recip ID	Recipient Name and Address
db	+ Scott E Depka, 217 Chestnut Street, Blackwood, NJ 08012-1153

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 04, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 2, 2024 at the address(es) listed below:

Name	Email Address
Andrew B Finberg	ecfmail@standingtrustee.com ecf.mail_9022@mg.bkdocs.us
Denise E. Carlon	on behalf of Creditor LOANCARE LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor US Bank Trust National Association Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Edward Joseph McKee	on behalf of Creditor TD Bank N.A. emckee@duanemorris.com, jalowe@duanemorris.com
Mitchell L Chambers, Jr.	on behalf of Debtor Scott E Depka ecfbc@comcast.net
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

District/off: 0312-1

User: admin

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Date Rcvd: Jul 02, 2024

Form ID: pdf903

Total Noticed: 1

TOTAL: 6